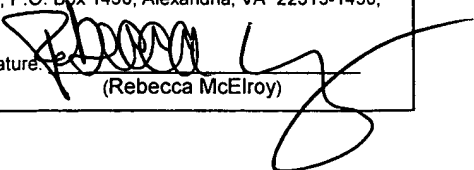


PATENT  
Docket No. 312762001530

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 20, 2005

Signature:   
(Rebecca McElroy)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ann MONOSOV et al.

Serial No.: 09/023,232

Filing Date: 13 February 1998

For: NUDE MOUSE MODEL FOR HUMAN  
NEOPLASTIC DISEASE

Examiner: Anne Marie S. Wehbé, Ph.D.

Group Art Unit: 1632

**PETITION TO ACCEPT THE GRANTED REISSUE CLAIMS  
ON BEHALF OF ASSIGNEE UNDER 37 CFR § 1.47(b)**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. The assignee, AntiCancer Inc., has consented to the reissue application and acknowledges on behalf of the inventors that every error in the patent which was corrected in the present reissue application and is not covered by a prior oath or declaration submitted in the application, arose without any deceptive intention on the part of the applicant. One of the two inventors refuses to sign the supplemental declaration required under 37 CFR § 1.175(b)(1) and the other cannot be found.

2. There are two inventors of the subject matter herein, Ann Monosov and Xinyu Fu.

sd-255190

04/21/2005 EFLORES 00000010 031952 09023232  
01 FC:1463 200.00 DA

3. The last known address of Ann Monosov is 1715 Edgefield Lane, Encinitas, California 92024-1977. The last known address of Xinyu Fu is 3725 Miramar Street, Apt. C, La Jolla, California 92037-1352.

4. As to Dr. Fu, a package containing the appropriate declaration, an addressed stamped envelope, a copy of the original patent, and a copy of the claims as they will be reissued, showing the changes from the originally issued claims, as well as a clean copy thereof, was sent to Dr. Fu at his last known address by certified mail on 10 January 2005. This mailing was returned with a notation that delivery was attempted, but that the addressee was not known. Attempts were made to locate Dr. Fu using the Internet without success.

5. With respect to Dr. Monosov, a package containing the same documents as those sent to Dr. Fu was sent to her last known address on the same date by certified mail. Successful delivery was accomplished. A letter in response was received on 7 February 2005, stating that, although Dr. Monosov agreed that other immunodeficient rodents were suitable as an experimental model (other than nude mice), experiments on them were not personally conducted by her. In response, the undersigned representative sent by certified mail on 11 February 2005 an additional package with the same contents and an explanation that personally conducting experiments in other rodents was not required in order to qualify as an inventor. In response to this, in a letter received 1 March 2005, Dr. Monosov stated that she confirmed her entitlement to inventorship and would sign the reissue application declaration, but demanded royalties on net proceeds based on attached agreement. No executed declaration was enclosed.

6. After some consideration of this position, an additional package containing the same enclosures was sent by certified mail to Dr. Monosov on 4 April 2005, pointing out that the issue of royalty payments was not germane to the necessity to sign the declaration required. No

reply has been received to this letter and package, which was delivered as verified by the certified mail confirmation document. A telephone number was requested from Dr. Monosov in order to discuss this further, but none has been supplied, and the office of the undersigned has not been able to retrieve a telephone number from the Internet or from the telephone company.

7. Accordingly, it has been concluded that Dr. Monosov has refused to execute this declaration.

8. It is believed that the foregoing adequately describes the facts supporting the inability of assignee to locate Dr. Fu and the refusal of Dr. Monosov to execute the required declaration. A declaration attesting to the accuracy of the facts is attached.

9. Grant of the present petition in lieu of the declaration of the inventors is necessary to preserve the rights of the assignee, as the patent will not be reissued unless such acceptance is realized. As meticulously and carefully determined by the Examiner in this case, applicants are entitled to the modified claims. These claims are necessary in order to prevent others from performing work within the scope of the invention, but outside the scope of the originally issued claims. The rodent model claimed in the present invention is an essential part of the business of assignee, and failure to issue the allowed claims would significantly negatively affect the business interests of assignee.

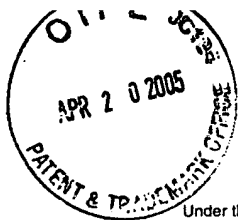
10. It is believed that the present petition, along with the enclosed declaration and fee, fulfills the requirements of 37 CFR § 1.47(b) and applicants respectfully request the allowed claims be passed to grant.

Respectfully submitted,

Dated: April 18, 2005

By: Kate H. Murashige  
Kate H. Murashige  
Registration No. 29,959

Morrison & Foerster LLP  
3811 Valley Centre Drive, Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5112  
Facsimile: (858) 720-5125



|   |                               |                   |
|---|-------------------------------|-------------------|
| <b>PETITION FEE</b><br><b>Under 37 CFR 1.17(f), (g) &amp; (h)</b><br><b>TRANSMITTAL</b><br>(Fees are subject to annual revision)<br><br>Send completed form to:<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <b>Application Number</b>     | 09/023,232        |
|   | <b>Filing Date</b>            | February 13, 1998 |
|   | <b>First Named Inventor</b>   | Ann MONOSOV       |
|   | <b>Art Unit</b>               | 1632              |
|   | <b>Examiner Name</b>          | A. M. S. Wehbe    |
|   | <b>Attorney Docket Number</b> | 312762001530      |

Enclosed is a petition filed under 37 CFR 1.47 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 200.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 03-1952 :

☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) – to accord a filing date.

§ 1.57(a) – to accord a filing date.

§ 1.182 – for decision on a question not specifically provided for.

§ 1.183 – to suspend the rules.

§ 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 – for access to an assignment record.

§ 1.14 – for access to an application.

§ 1.47 – for filing by other than all the inventors or a person not the inventor.

§ 1.59 – for expungement of information.

§ 1.103(a) – to suspend action in an application.

§ 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 – for review of refusal to publish a statutory invention registration.

§ 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) – for patent owner requests for extension of time in *ex parte* reexamination proceedings.

§ 1.956 – for patent owner requests for extension of time in *inter partes* reexamination proceedings.

§ 5.12 – for expedited handling of a foreign filing license.

§ 5.15 – for changing the scope of a license.

§ 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.

§ 1.84 – for accepting color drawings or photographs.

§ 1.91 – for entry of a model or exhibit.

§ 1.102(d) – to make an application special.

§ 1.138(c) – to expressly abandon an application to avoid publication.

§ 1.313 – to withdraw an application from issue.

§ 1.314 – to defer issuance of a patent.

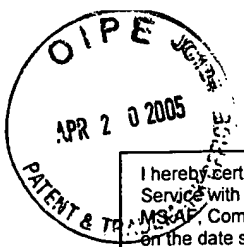
Kate H. Murashige  
Signature

April 18, 2005

Date

Kate H. Murashige  
Typed or printed name

29,959  
Registration No., if applicable



PATENT  
Docket No. 312762001530

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 18, 2005

Signature

(Rebecca McElroy)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ann MONOSOV et al.

Serial No.: 09/023,232

Filing Date: 13 February 1998

For: NUDE MOUSE MODEL FOR HUMAN  
NEOPLASTIC DISEASE

Examiner: Anne Marie S. Wehbé, Ph.D.

Group Art Unit: 1632

DECLARATION OF KATE H. MURASHIGE

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Kate H. Murashige, declare as follows:

1. I am the authorized representative of the applicants in the above-referenced reissue application. The San Diego office of Morrison & Foerster, in which I am a partner, has performed the following activities in an attempt to obtain the signatures of the inventors, Dr. Xinyu Fu and Dr. Ann Monosov, in regard to the above-captioned reissue application.

2. The last known address in our files for Dr. Xinyu Fu was listed as 3725 Miramar Street, Apt. C, La Jolla, California 92037-1352. Our office attempted to locate Dr. Xinyu Fu on the Internet in order to ascertain a current address without success. Therefore, on 10 January

2005, our office forwarded to Dr. Fu, by certified mail, a cover letter requesting his signature along with the following enclosures:

- (1) The unexecuted reissue application declaration;
- (2) A copy of U.S. Patent No. 5,569,812 as issued;
- (3) A copy of the allowed claims as compared to those in the issued patent,

showing the changes in accordance with 37 CFR § 1.173;

- (4) A clean copy of the allowed claims; and
- (5) A prepaid return envelope.

3. The cover letter requested Dr. Fu (Exhibit IA) to review the enclosed items (2)-(4) before signing the declaration and to return the declaration in the enclosed envelope.

4. The package sent to Dr. Fu was returned by the U.S. Postal Service with a statement that delivery was attempted but that the addressee was unknown.

5. A letter (Exhibit IB) and package identical to that sent to Dr. Fu was also sent to Dr. Ann Monosov by certified mail on the same day, 10 January 2005. The postcard indicating a date of delivery of 24 January was returned to our office, and a letter from Dr. Monosov dated 3 February 2005 was received in our office on 7 February 2005. A copy of this letter is enclosed as Exhibit A. In this letter, Dr. Monosov questioned her qualifications as an inventor based on her not having conducted personally any experiments involving rats, although the same letter acknowledged that "other immunodeficient rodents might be suitable as an experimental model for the same purposes."

6. In response, another package containing a cover letter and the same enclosures was sent to Dr. Monosov by certified mail on 11 February 2005. A copy of the cover letter is enclosed as Exhibit B. This letter explained that physical conduct of these experiments was not

necessary to entitle Dr. Monosov to status as an inventor. It was also requested that a telephone number be provided so that this could be discussed if there were any remaining question. In response, Dr. Monosov sent a letter received 1 March 2005 agreeing to sign the reissue application declaration but requesting that we guarantee that "Anticancer Inc. will pay a certain royalty of net proceeds" according to an attached Proprietary Inventions Agreement. No executed declaration was enclosed with this letter. A copy of this letter is enclosed as Exhibit C.

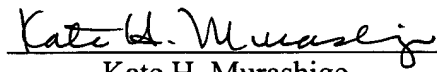
7. Accordingly, on 4 April 2005, an additional package, containing the same enclosures, was sent by certified mail to Dr. Monosov with a cover letter explaining that the question of any entitlement to compensation from AntiCancer and the obligation to sign the declaration were separate issues and again requesting that the declaration be signed. A copy of this letter is attached as Exhibit D. An official return postcard indicating that the package was indeed delivered was received by our office on 8 April 2005.

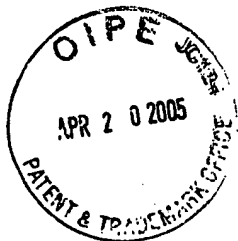
8. No further response from Dr. Monosov has been received.

9. I believe that the failure of Dr. Monosov to enclose an executed declaration with her letter of 25 February 2005 and her failure to respond to my letter of 4 April 2005 constitute a refusal to execute the declaration.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed at San Diego, California, on April 18, 2005.

  
\_\_\_\_\_  
Kate H. Murashige



**Dr. Anna Monosov, Ph.D.**

1715 Edgefield Lane  
Encinitas, CA 92024

February 3, 2005

31276-  
20031.00  
**RECEIVED**

FEB 07 2005

Morrison & Foerster, LLP  
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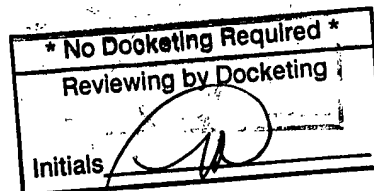
By Certified Mail

Miss Kate H Murashige

Morrison & Foerster LLP

Attorneys at Law

3811 Valley Centre Drive, Suite 500  
San Diego, Ca 92130-2332



Cc: Dr. Robert Hoffman

Re: Reissue of U.S. Patent 5,569,812

For: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC DISEASE

By: Ann MONOSOV and Xinyu FU


Dear Miss Murashige:

I apologize for the delay of my response.

After the reading of your Letter and the reviewing the paper trail related to this matter I realized that it is necessarily to point out following:

- 1 The experimental object of my research at Anticancer Inc. was the only nude mice I never used the immuno-deficient rats as an experimental model. The same time, it seems to me, other immuno-deficient rodents might be suitable as an experimental model for the same purposes.  
As you stated in your letter from January 10, 2005, the Patent had already been amended with this suggestion on December 31, 2003.
- 2 My last communications with your Office related to this matter had been on November 01, 1999. It was Letter from Dr. Thomas D. Mays, requested my assistance in signing the Reissue Application Declarations and Powers of Attorney on behalf of Anticancer Inc.  
For the reason that I have not personally conducted any experiments involving rats, I declined their offer and did not respond back.
- 3 I would like to suggest that Anticancer Inc. will proceed with the Application of any other Amendments or another Patent related procedures without my participation.

Sincerely,

  
Anna Monosov, Ph.D.

①

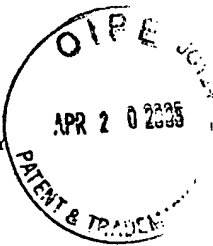
# MORRISON & FOERSTER LLP

SAN FRANCISCO  
LOS ANGELES  
DENVER  
PALO ALTO  
WALNUT CREEK  
SACRAMENTO  
CENTURY CITY  
ORANGE COUNTY  
SAN DIEGO

ATTORNEYS AT LAW

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NORTHERN VIRGINIA  
LONDON  
BRUSSELS  
HONG KONG  
BEIJING  
SHANGHAI  
SINGAPORE  
TOKYO



February 11, 2005

Writer's Direct Contact  
858/720-5112  
KMurashige@mofo.com

**VIA CERTIFIED MAIL**

(Article No. 7000 1530 0005 0910 7509)

Dr. Anna Monosov, Ph.D.  
1715 Edgefield Lane  
Encinitas, CA 92024-1977

Re: Reissue of U.S. Patent 5,569,812  
For: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC DISEASE  
By: Ann MONOSOV and Xinyu FU  
Our reference: 31276-20015.30

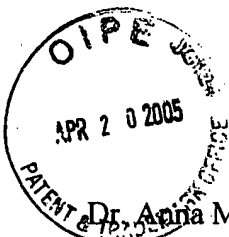
Dear Dr. Monosov:

Thank you for your response dated 3 February 2005 to our letter of 10 January 2005. The fact that you took the trouble to consider this and to provide a response is very much appreciated. I have reviewed your comments carefully, and would appreciate it if you could reconsider executing the enclosed declaration in light of the following explanation.

You point out that your participation in the laboratory was only related to nude mice but never used the immunodeficient rats as an experimental model. You further state that it seems to you that other immunodeficient rodents might be suitable as an experimental model for the same purposes. The fact that you consider that other immunodeficient rodents might be suitable as an experimental model for the same purposes clearly qualifies you as an inventor with regard to an invention of this scope. According to U.S. law, an inventor is not limited to the experimental work actually done, but is entitled to claim those further aspects of the work that are envisioned. You have indicated that you have envisioned such an extension.

We indeed have amended the patent according to your suggestion; however, in order to put this amendment into effect, we need your signature on the enclosed papers.

As to item 2 in your letter, we were able to proceed in 1999 because we had established that we had not gotten a response from you. However, since the reason for



# MORRISON & FOERSTER LLP

Dr. Anna Monosov, Ph.D.

February 11, 2005

Page Two

not responding is that you had not personally conducted any experiments with rats, I hope the foregoing discussion would convince you that you are entitled to inventorship regardless of not performing any actual experiments.

With respect to item 3, if you do refuse to sign the declaration, we can demonstrate this to the U.S. PTO and proceed. However, since you are entitled to inventorship with respect to rodents in general, despite your not having performed any actual experiments, it would be much easier and less expensive for AntiCancer if you were simply to sign the declaration which you are clearly entitled to do.

I would be more than happy to discuss this with you by phone. We could not find a telephone number at which you could be reached, but if you would provide me with one, or give me a call, I would be happy to explain this further if you would like.

I am enclosing the original package along with a new return envelope. Please let me know your response. Thank you for your cooperation.

Best regards,

Kate H. Murashige

KHM:cs:rlm

Enclosures

cc: Robert M. Hoffman, Ph.D. (without encls.)

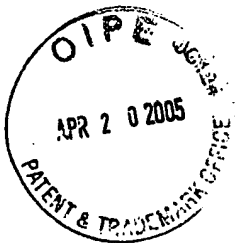
| U.S. Postal Service<br>CERTIFIED MAIL RECEIPT<br>(Domestic Mail Only; No Insurance Coverage Provided)   |                | COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY  |
|---|----------------|--|--|
| <b>OFFICIAL USE</b>   |                | Items 1, 2, and 3. Also complete Restricted Delivery is desired.<br>Name and address on the reverse<br>can return the card to you.<br>is card to the back of the mailpiece,<br>front if space permits. | A. Received by (Please Print Clearly) <u>[Signature]</u> B. Date of Delivery <u>2/12/05</u>  |
| Postage   | \$ <u>1.98</u> | Addressed to:  | C. Signature <u>X Edward Monosov</u><br><input type="checkbox"/> Agent<br><input type="checkbox"/> Addressee   |
| Certified Fee   | <u>2.30</u>    |  | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No  |
| Return Receipt Fee<br>(Endorsement Required)  | <u>1.75</u>    |  | <b>FEB 15 2005</b><br><b>Morrison &amp; Foerster, L.L.P.</b><br><b>RECEIVED</b>  |
| Restricted Delivery Fee<br>(Endorsement Required)   |                |  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. |
| Total Postage & Fees  | \$ <u>6.03</u> |  | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes   |
| Sent To<br><u>Anna Monosov, Ph.D.</u><br>Street, Apt. No., or PO Box No.<br><u>1715 Edgefield Lane</u><br>City, State, ZIP+4<br><u>Carmichael, CA 92024</u> |                | <u>Monosov, Ph.D.</u><br><u>Edgefield Lane</u><br><u>Carmichael, CA 92024-1977</u>   |  |
| PS Form 3800, May 2000  |                | Number (Copy from service label)<br><u>01530 0005 0910 7509</u>  |  |

See Reverse for Instructions

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



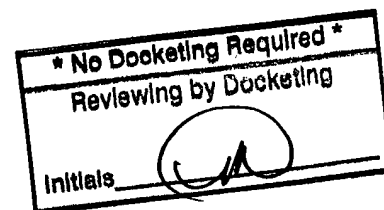
31276-20031.00

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MAR 01 2005

Morrison & Foerster, LLP  
RECEIVED**Dr. Anna Monosov, Ph.D.**1715 Edgefield Lane  
Encinitas, CA 92024

February 24, 2005

By Certified MailMiss Kate H Murashige  
Morrison & Foerster LLP  
Attorneys at Law  
3811 Valley Centre Drive, Suite 500  
San Diego, Ca 92130-2332

Cc: Dr. Robert Hoffman

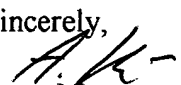
Re: Reissue of U.S. Patent 5,569,812  
For: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC DISEASE  
By: Ann MONOSOV and Xinyu FU

Dear Miss Murashige:

Thank you for your elucidation of the U.S. Patent Laws related to the Anticancer, Inc. demands for reissuing of the broader patent that includes rodents in general.

I agree to sign up the Reissue Application Declaration confirming my entitlement to inventorship, also I would like to make sure that the Anticancer, Inc. will pay a certain royalty of net proceeds, according to the Anticancer, Inc. Employees Proprietary Inventions Agreement (enclosed).

Sincerely,

  
Anna Monosov, Ph.D.

(C)

**MORRISON | FOERSTER**



April 4, 2005

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SUITE 500  
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MORRISON & FOERSTER LLP  
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SAN DIEGO, WASHINGTON, D.C.  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

Writer's Direct Contact  
858/720-5112  
KMurashige@mofo.com

By Certified Mail – 7000 1530 0005 0910 7523  
Return Receipt Requested

Anna Monosov, Ph.D.  
1715 Edgefield Lane  
Encinitas, CA 92024-1977

Re: Reissue of U.S. Patent 5,569,812  
For: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC DISEASE  
By: Ann MONOSOV and Xinyu FU  
Our reference: 31276-20015.30

Dear Dr. Monosov:

Thank you for your letter dated 24 February 2005. I apologize for my delay in responding, as some time has been spent in consideration of the comments in paragraph 2 of your letter concerning the "Employee's Proprietary Information and Inventions Agreement" copy attached thereto.

I note that an executed Declaration was not contained with your response. We appreciate your agreement to execute this Declaration, and are requesting that you do so now. Any arrangements for compensation based on the agreement attached to your letter are a separate matter which needs to be resolved between you and AntiCancer independent of the execution of this Declaration. The Declaration relates to the legitimacy of the request for reissue on a substantive basis, and does not concern any financial arrangements that might have been made with AntiCancer itself.

Therefore, I am enclosing another copy of the Declaration, along with an appropriate prepaid Express Mail envelope for its return. Also enclosed is a copy of the original patent which contains the specification and original claims as well as a copy of the claims as they will be reissued, showing the changes from the originally issued claims. Please review these before you sign the Oath/Declaration.

As you know, the Declaration is for the purpose of verifying, by the inventors, that

Every error in the patent which was corrected in the present  
reissue application and is not covered by a prior

MORRISON | FOERSTER

Anna Monosov, Ph.D.  
April 4, 2005  
Page Two



oath/declaration submitted in the application, arose without any deceptive intention on the part of the applicant.

As should be apparent from the Declaration itself, the nature of the financial arrangements between yourself and AntiCancer are unrelated to the substance of the Declaration. Therefore, I would be very grateful if you would sign the Declaration and return it in the enclosed envelope.

Your cooperation on this matter is deeply appreciated.

Best regards,

*Kate Murashige*

Kate H. Murashige

KHM:cs

Enclosures

cc: Robert M. Hoffman, Ph.D. (without encls.)

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE  
ENCINITAS CA 92024

|   |           |
|---|-----------|
| Postage   | \$ \$2.21 |
|   | \$2.30    |
| Certified Fee                                     | \$1.75    |
| Return Receipt Fee<br>(Endorsement Required)      | \$0.00    |
| Restricted Delivery Fee<br>(Endorsement Required) | \$0.00    |
| Total Postage & Fees                              | \$ \$6.26 |

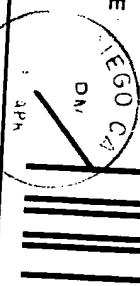


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January 10, 2005

By Certified Mail

Dr. Xinyu Fu  
3725 Miramar Street, Apt. C  
La Jolla, CA 92037-1352

Writer's Direct Contact  
858/720-5112  
KMurashige@mofo.com

Re: Reissue of U.S. Patent 5,569,812  
For: NUDE MOUSE MODEL FOR HUMAN NEOPLASTIC DISEASE  
By: Ann MONOSOV and Xinyu FU  
Our reference: 31276-20015.30

Dear Dr. Fu:

We have been successful in obtaining a broadening reissue of the above-referenced patent so that the claims now cover rodents in general, rather than just mice. Because amendments were made during the prosecution of this reissue, we are required to submit an additional oath/declaration by the inventors that states that

Every error in the patent which was corrected in the present reissue application and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

I am enclosing a copy of the appropriate Declaration for your signature and an addressed, stamped envelope for its return. Also enclosed is a copy of the original patent which contains the specification and original claims, as well as a copy of the claims as they will be reissued showing the changes from the originally issued claims. Please review these before you sign the oath/declaration.

We appreciate your cooperation on this matter.

Best regards,

Kate H. Murashige

KHM:cs  
Enclosures

cc: Dr. Robert Hoffman (w/encls.)

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1A

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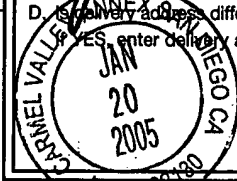
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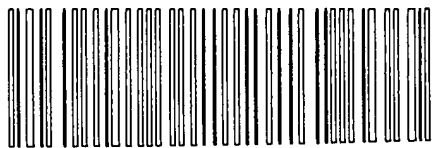
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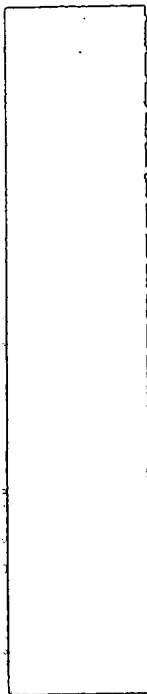
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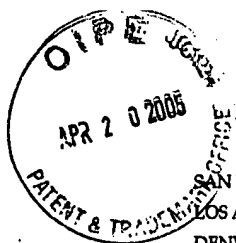
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KHM:cs

Enclosures

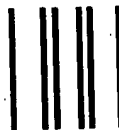
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